

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 2 Regan Court, Mathias Building #56, in Cranston, RI on Tuesday, December 9, 2014 at 1:00 P.M.

Called To Order:

Chairman Newbrook called the meeting to order at 1:10 P.M.

Roll Call:

Present were Chairman Newbrook and Commissioners Booth, Thornton, Jackson, Filippi, Sylvester.

Absent were Vice Chairman Blackburn, Commissioners Pearson and Walker.

Also present were Executive Director W. Keith Burlingame, Esq. and Administrative Assistant Desiree Campanini.

New Business:

APPEAL#140127: Dr. Reppa M. Cottrell, for the property located at 619 West Greenwich Road, North Scituate. ADSFM Karl Petsching appeared for North Scituate Fire Marshal's Office. Commissioner Jackson made a motion, seconded by Commissioner Richard to grant the Applicant's request for a time extension until January 27, 2015, to return to the Board with a plan of action to bring this facility into compliance. The motion passed unanimously, with Commissioner

Sylvester abstaining from the vote.

APPEAL # 140144: Westerly Public School, for the property located at 93 Tower Street, Westerly. Chief James Gumbley appeared for the State Fire Marshal's Office. Commissioner Thornton made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty (30) days to submit a plan of action to the State Fire Marshal's Office for the installation of approved manual fire alarm boxes at all required exits and removing the commercial cooking equipment in this facility and an additional one hundred fifty (150) days to implement that plan, with the State Fire Marshal's Office having the authority to extended the above deadlines, if a good faith effort is being shown by the Applicant. The motion passed unanimously.

APPEAL #140151: Shawmut Design and Construction, for the property located at 284-286 Bellevue Avenue, Newport. ADSFM Christopher Mahoney appeared for the Newport Fire Marshal's Office. Commissioner Thornton made motion, seconded by Commissioner Sylvester, to grant the Applicant's request for a variance to allow the existing stairs to remain in use based upon structural hardship. The Board granted the Applicant a time variance of thirty (30) days to submit a plan of action for the installation of emergency forces notification to the facility fire alarm system and one hundred and fifty (150) days to implement that plan, with the Newport Fire Marshal's Office authorized to extend the above deadlines, if a good faith effort

is being shown by the Applicant. The motion was unanimously.

APEAL #140145: Mark Seyster, for the property located at 85 Johnnycake Hill Road, Middletown. Chief James Gumbley appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to grant the Applicant a variance for relief from the "Bond for Blasting Operation" requirements of the RI Fire Code. The motion passed unanimously.

APPEAL #140146: Timothy Wensus, P.E., for the property located at 194 Bellevue Avenue, Newport (Tennis Hall of Fame). ADSFM Wayne Clark appeared for the Newport Fire Marshal's Office. Commissioner Filippi made a motion, seconded by Commissioners Booth and Richard, to re-affirm a previously granted variances which will allow the existing means of egress from the third floor remain as is, allowing the means of egress from the seconded floor of the facility to remain as is with the condition that the Applicant provides signage at the entrance of the space designated as the "USTA ROOM" indicating that travel through this space is only for emergency purpose. The Board granted the Applicant a variance to limit the occupancy load of the second floor to three (300) people. The Board granted the Applicant a time variance until January 1, 2017 by providing the "USTA Room" exterior egress stairway and the Executive Offices porches of this facility with an approved automatic sprinkler system, at the direction and to the satisfaction of the Newport Fire Marshal's Office. The Board grants the Applicant a

variance to omit the sprinkler protection from space known as Horseshoe Piazza, in granting this variance the Board directs the Applicant to provide alternative fire alarm heat detection in this space, at the direction and to the satisfaction of the State Fire Marshal's Office. The Applicant requested relief from the existing means of egress from the basement tenant space to remain as is, due to structural hardship. The Board granted several structural and historical variances in this facility. The motion passed unanimously with Commissioner Thornton abstaining from the consideration of this case.

APPEAL #140147: Kirwin Properties LLC, for the property located at 79 Tilden Avenue, Newport. At this time the Board was advised by ADSFM Christopher Mahoney of the Newport Fire Marshal's Office that the Applicant was not present and the Board requested to reschedule this hearing. Commissioner Sylvester made motion, seconded by Commissioner Jackson to reschedule this hearing for January 6, 2015. The motion passed unanimously.

APPEAL #140136: Mr. Joseph Baginski, for the property located at 52 River Avenue, Providence. ADSFM Scott Derry and ADSFM Raymond Pacheco appeared for the Providence Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Booth, to reschedule this hearing for January 27, 2015 to allow the Applicant time to work-out a plan of action with the Providence Fire

Marshal's Office and returned to the Board. The motion passed 6 to 1 with Commissioner Jackson opposing the vote.

APPEAL #140148: Edward Cooney House, for the property located at 982 Branch Avenue, Providence. ADSFM Keith Maine appeared for the Providence Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Booth, to grant the Applicant a time variance of thirty (30) to submit a plan of action to the Providence Fire Marshal's Office to bring the fire alarm system in this facility into full compliance with the RI Fire Code and to correct any other deficiencies deem necessary by the Providence Fire Marshal's Office. The Board granted an additional one hundred fifty (150) days to implement that plan, with the Providence Fire Marshal's Office authorized to extend the above deadlines, if a good faith effort is being shown by the Applicant.

APPEAL #140149: Derek Wagner, for the property located at 504-506 Broadway, Providence. DSFM Thomas Dettore appeared for the State Fire Marshal's Office. Commissioner Thornton made a motion, seconded by Commissioner Filippi to grant the Applicant a variance to allow the existing water supply shut-off configuration for the domestically supplied sprinkler heads to remain in use. The Board was advised by the Applicant that the existing shut-off valve is located in a secured room in lieu required electrical supervision, with no objection from the State Fire Marshal's Office. The motion passed unanimously.

Old Business:

Commissioner Richard made a motion, seconded by Commissioner Filippi to approve Fire Board minutes for December 2, 2014.

Correspondences / Announcements:

Open Forum / Public Comment:

Adjournment:

Commissioner Richard made a motion, seconded by Commissioner Filippi to adjourn meeting at 3:00 P.M.